



State of Alaska  
Department of Fish and Game  
Habitat and Restoration Division

Nomination for Waters  
Important to Anadromous Fish

Region IV-Interior

USGS Quad EAGLE A-2, B-1

Anadromous Water Catalog Number of Waterway

334-45-11000-2600

Name of Waterway

FORTY MILE RIVER



USGS Name



Local Name



Addition



Deletion



Correction



Backup Information

OK LK

99-330  
088 66

For Office Use

Nomination #

Revision Year:

Revision to:

Atlas

Catalog

Both

Revision Code:

X  
D-2

Regional Supervisor

ED Win

AWC Project Biologist

2. Stone

Drafted

3-8-00

Date

3/28/00

Date

4/10/00

Date

OBSERVATION INFORMATION

Species	Date(s) Observed	Spawning	Rearing	Present	Anadromous
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>

**IMPORTANT:** Provide all supporting documentation that this water body is important for the spawning, rearing or migration of anadromous fish, including: number of fish and life stages observed; sampling methods, sampling duration and area sampled; copies of field notes; etc. Attach a copy of a map showing location of mouth and observed upper extent of each species, as well as other information such as: specific stream reaches observed as spawning or rearing habitat; locations, types, and heights of any barriers; etc.

Comments:

SEE ATTACHED LETTER AND DOCUMENTATION

ALASKA DEPT. OF  
FISH & GAME

MAR 13 2000

REGION II  
HABITAT AND RESTORATION  
DIVISION

Name of Observer (please print):

ROBERT F. MCLEAN

Signature:

Robert F. McLean

Date:

1-27-00

Address:

1300 College Rd  
FAIRBANKS AK 99701

This certifies that in my best professional judgment and belief the above information is evidence that this waterbody should be included in or deleted from the Catalog of Waters Important for Spawning, Rearing or Migration of Anadromous Fishes per AS 16.05.870.

Signature of Area Biologist: \_\_\_\_\_

Revision 3/97



**TABLE . Correlation of chinook and fall chum salmon returns in the Canadian mainstem Yukon River with observations of salmon in the U.S. Forty Mile River watershed.**

Year	U.S. - Canada Border Passage Estimate		Observations in the Alaska Segment - Forty Mile River		Observations in the Canadian Segment - Forty Mile River		Brood Year of Juvenile Observations	Alaska Fish Surveys	Canadian Fish Surveys	Mainstem Forty Mile River  Min. Measured Winter Discharge (cfs) at Taylor Highway Bridge <sup>1</sup>
	Chinook	Fall Chum	Chinook	Fall Chum	Chinook	Fall Chum				
1980		39,130								
1981		66,347		1 - Adult				X		
1982	36,598	47,049			2 - Adult				X	
1983	47,741	118,365							X	
1984	43,911	81,900			63 - Juvenile		1983		X	
1985	29,881	99,755		Anecdotal	2 - Juvenile		1984		X	
1986	36,479	101,826						X		
1987	30,823	125,121	2 - Adult					X		
1988	44,445	69,280								
1989	42,620	55,861						X		
1990	56,679	82,947	16 - Juvenile		4 - Juvenile		1989	X	X	
1991	41,187	112,303								
1992	43,185	67,962								29
1993	45,027	42,165								12
			Adult - Sp. Unknown	Adult - Sp. Unknown						
1994	46,680	133,712						X		3.8
1995	52,353	198,203		15						8.3
1996	47,955	143,758								
1997	53,400	94,725								
1998	22,588	48,047	1 - Juvenile				1997	X		

	Chinook	Fall Chum
Average	42,444	90,971
Median	43,911	82,947
80th Percentile	47,912	121,067
85th Percentile	50,594	127,698
Average When Adult Fish Observed in Alaska	38,752	124,504
Average For Brood Year When Juvenile Fish Observed in Alaska	48,010	N/A

<sup>1/</sup> Source: Kostohrys, J., Sterin, B., and Hammond, T. 1999. Water Resources of the Fortymile National Wild and Scenic River, Alaska. BLM Open File Report 75, BLM/AK/ST-99/016+7200+020. Anchorage, AK.



TONY KNOWLES, GOVERNOR

DEPARTMENT OF FISH AND GAME

HABITAT AND RESTORATION DIVISION

P.O. BOX 25526  
JUNEAU ALASKA 99802-5526  
PHONE: (907) 465-4105/4125  
FAX: (907) 465-4759

February 18, 1999

Mr. David W. Likins, President  
Fortymile Mining District  
P.O. Box 106  
Eagle, AK 99738-0106

RECEIVED  
FEB 24 1999

Alaska Dept. of Fish & Game  
Habitat - Region III

Dear Mr. Likins:

RE: Anadromous Stream Classification for the Fortymile River

At your request, the Department committed last spring to surveying the Fortymile River and its tributaries to determine whether its listing remained warranted in the *Catalog and Atlas of Waters Important for the Spawning, Rearing or Migration of Anadromous Fish*. A survey was completed by Mr. Mac McLean, Habitat and Restoration Division - Fairbanks, and Mr. Chuck Meachum, a representative of the Fortymile Mining District, on August 7-9, 1998. Sites were sampled with baited minnow traps at 29 locations over 50 stream miles in the mainstem, North Fork, South Fork and Walker Fork Fortymile River and their tributary streams. Two hundred and thirty nine trap hours were fished. In total, one juvenile chinook salmon and ten sculpins were collected. The single chinook salmon juvenile was collected in lower Polly Creek located just upstream of the Taylor Highway bridge.

Prior to the 1998 survey, our records dating back to the 1960s indicate that a total of 16 juvenile and two adult chinook salmon, 16 adult chum salmon, and one unidentified salmon have been observed by state, federal, and private entities in the Alaskan portion of the Fortymile River. After reviewing hydrologic conditions, including winter water flow observations by the Bureau of Land Management since the early 1990s, and salmon run indicators on the Canadian side of the border, it is our preliminary conclusion that anadromous fish runs in the Fortymile River are at the upper limit of their natural distribution and may not successfully reproduce on an annual basis. Some years it appears there is adequate winter water flows to support a successful egg hatch. But most years it appears there is not. This may explain why juvenile salmon are periodically observed but not consistently year to year.

Based on the available information, I have determined that the department will delist, without prejudice, the Fortymile River and its tributaries from the *Catalog and Atlas of Waters Important for the Spawning, Rearing or Migration of Anadromous Fish*. The Department reserves the right to redesignate these waters in the future if additional data supports such classification. We do not anticipate a formal revision of the Catalog or Atlas for at least one

DWAST  
FILE CO  
RMN -  
CRH -  
RFM -  
✓ AGO -  
RAP -  
RTS -  
AHT -  
PK -



Table 1. Summary of Fortymile River Juvenile Salmon Fish Survey Results, August 7-9, 1998.

River Segment	Waterbody Name	Date	Location	No. Minnow		Fish Captured
				Traps	Trap Hours	
<b>South Fork</b> (5.68 river miles surveyed)	Unnamed	8/9/98	East bank; Unnamed Tributary #A	2	5.32	None
	Unnamed	8/9/98	East bank; Unnamed Tributary #B	2	4.50	None
	Unnamed	8/9/98	East bank; Unnamed Tributary #C	2	3.83	None
	Wall Street Creek	8/9/98	East bank immediately upstream of S.F. 40 Mile Bridge (Site #D)	2	3.50	None
	Unnamed	8/9/98	East bank approx. 1/2 mile above S.F. bridge; set in overhanging rock cluster at outlet of small spring-fed creek (Site #E)	2	2.83	None
	Unnamed	8/9/98	East bank - 1st trib above bridge	2	2.33	None
<b>Walker Fork</b> (single point)	Walker Fork - Mainstem	8/8/98 - 8/9/98	North bank, at BLM campground	2	22.83	None
<b>North Fork</b> (4.98 river miles surveyed)	Unnamed		North bank; Unnamed Tributary #8	2	2.66	None
<b>Upper Mainstem</b> (16.6 river miles surveyed)	O'Brien Creek	8/8/98	West bank	2	14.66	None
	Polly Creek	8/8/98	East bank	2	14	1-KS (66 mm); 1 sculpin
	Unnamed	8/8/98	South bank, Anad. Cat. # 3101	2	10.43	None
	Unnamed	8/8/98	South bank, Unnamed Tributary #1	2	12.66	None
	Unnamed	8/8/98	South bank, Unnamed Tributary #2	2	10.23	None
	Unnamed	8/8/98	North bank, Unnamed Tributary #3	2	9.32	None
	Unnamed	8/8/98	North bank, Unnamed Tributary #4	2	8.33	None
	Unnamed	8/8/98	North bank, Unnamed Tributary #5	2	9.67	5 sculpin
	Unnamed	8/8/98	South bank, Unnamed Tributary #6	2	7.166	None
	Unnamed	8/8/98	South bank, Unnamed tributary #7	2	4.834	None



Table 1. Summary of Fortymile River Juvenile Salmon Fish Survey Results, August 7-9, 1998 (Continued).

River Segment	Waterbody Name	Date	Location	Traps	Trap Hours	Fish Captured
Lower Mainstem (23.23 river miles surveyed)	Flat Creek	8/7/98	North bank	2	15.666	None
	Bow Creek	8/7/98	South bank	2	14.434	1 sculpin
	Steele Creek	8/7/98	South bank	2	12.834	None
	Twin Creek	8/7/98	North bank	2	11.67	None
	Canyon Creek	8/7/98	South bank	2	9.32	None
	Nugget Gulch	8/7/98	North bank	2	10.67	2 sculpin
	Smith Creek	8/7/98	South bank	2	6.166	None
	Moose Creek	8/7/98	South bank	2	4	None
	Snow Creek	8/7/98	North bank	2	2.67	None
	Sam Patch Creek	8/7/98	North bank	2	2	1 sculpin
	40 Mile - Mainstem	8/7/98	North bank	1	0.67	None
<b>TOTAL</b>				57	239.21	1 KS; 10 Sculpin



**Title:** 1998 Fortymile River Watershed Anadromous Fish Survey

**Project** Robert F. McLean. Habitat Biologist III. Project Leader

**Staff:** Alaska Department of Fish and Game. Habitat and Restoration Division  
1300 College Road. Fairbanks. AK 99701

Telephone: 907/459-7281

FAX: 907/456-3091

E-Mail: mmclean@fishgame.state.ak.us

*(Mr. McLean, ADF&G, has worked as a fisheries and habitat biologist since 1973. Past experience includes adult and juvenile salmonid surveys in the Kenai, Mat Su, Copper River, Alaska Peninsula, Bristol Bay, Norton Sound, Northwest, and Interior regions of Alaska. Sampling techniques include: aerial and ground visual surveys, minnow traps, seine, gill net, electrofishing (backpack and boat), weir, and side/upward array sonar.)*

The project team will include one additional habitat biologist or college intern/volunteer who will assist with actual field investigations. A professional services contract will be made with Mr. Larry Taylor, a local suction dredge miner and year-round resident of the Fortymile, for local boat transportation and guide services.

**Abstract:** Two surveys will be conducted: one in early August 1998 and the second in late September 1988 to document the presence or absence of anadromous fish species in the mainstem Fortymile River, O'Brien Creek, and their primary tributaries. Fish distribution, geomorphic, and habitat surveys will be conducted. Fish sampling will include use of minnow traps and backpack electrofisher.

The survey is a direct response to a 1998 request by the Fortymile Mining District and representatives of the Alaska State Legislature for a reassessment of the validity of the current listings of several waterbodies in the *Catalog of Waters Important for the Spawning, Rearing, or Migration of Anadromous Fishes (hereafter Catlog)*. Copies of this correspondence is included in Attachment 1.

Based on the results of the surveys and the data collected, including geomorphic and habitat evaluations of each surveyed watershed, ADF&G will (1) recommend either retention or deletion of the current Catalog listings or (2) specify what additional surveys are necessary..

Project Cost: \$10,753.08



**Project Need:** ADF&G's designation of the Fortymile River and several of its tributaries in the Catalog has been a recurring point of contention amongst many commercial miners in the Fortymile Mining District. Numerous petitions have been filed both on the Yukon and Alaska sides of the border requesting delisting of the Fortymile River and its listed tributaries as a salmon stream.

In 1998 the ADF&G committed to resurveying the Fortymile River and making appropriate changes to the Catalog in the next scheduled regulatory revision (Attachment 1).

While the Fortymile River has been surveyed repeatedly, there is some question regarding whether the timing of previous fish surveys was appropriate (i.e. the assumption that fish distribution in the Fortymile watershed is similar to Interior Alaska) or whether the optimum time for documenting use is later in the fall. The Division of Wildlife Conservation's 1985 anecdotal report of fall chum salmon fishing near Stelle Creek in late September/early October clearly warrants additional field surveys at that time (Attachment 2).

In 1997, ADF&G reviewed 44 placer mine applications and 15 recreational suction dredge permit applications in the Fortymile District. Most of the operations were located on benches, adjacent tributaries, or were suction dredge operations targeting inside meander bars on the mainstem river. Although all operations have the potential to adversely impact fish habitat, most current operations are not considered a significant threat to long-term fish habitat maintenance in the Fortymile River. Current mining and reclamation practices and existing Environmental Protection Agency wastewater discharge permit requirements have significantly reduced long-term impacts from placer mining in the Fortymile basin.

The primary benefit of the proposed study is to resolve questions by the Fortymile Mining District and several legislators regarding the validity of ADF&G's Catalog listings and procedures.

**Additional Information:** The Fortymile watershed has been surveyed by ADF&G, the Department of Fisheries and Oceans Canada, and the Bureau of Land Management personnel repeatedly over the past 17 years. While significant numbers of adult anadromous fish have not been documented, repeated sightings of a few adult chinook and chum salmon spawners and, in particular, juvenile chinook salmon give rise to conjecture that the Fortymile River and some of its tributaries may have value as anadromous fish habitat. Conversely, those petitioning for its delisting believe the adult sightings represent occasional strays and that the Fortymile River

upstream of Clinton Creek is not suitable for spawning or overwintering due to a lack of winter flow.

A historical summary of fish observations follows.

- 1995 BLM. Twelve live and three dead adult chum salmon observed at Mickey Creek.
- 1994 BLM. One salmon (spp. ???) observed at confluence of Champion Creek and North Fork Fortymile River.
- 1990 ADF&G and DFO. Clinton Creek to Alma Creek. Minnow trap survey. Twenty juvenile chinook salmon (16 in Alaska and 4 in Canada), 6 juvenile suckers, and 1 slimy sculpin captured.
- 1989 ADF&G. Minnow trap survey of river immediately above and below bridge. Extremely low water levels with perched tributary mouths. Slimy sculpin, an unidentified whitefish and Arctic grayling documented.
- 1987 BLM. Two adult chinook salmon observed in the North Fork Fortymile River at the Kink.
- 1986 ADF&G. Minnow trap survey. No salmonids documented.
- 1985 ADF&G received reports of chum salmon being captured in September and early October in the lower Fortymile River near Steele Creek by a resident of Tok, AK (Attachment 2).
- 1985 DFO. Eight seine sets in lower river below U.S./Canada border. Two juvenile chinook salmon captured 9.5 km below border.
- 1984 DFO. Minnow trapping and beach seines. Lower Fortymile River near Clinton Creek, Clinton Creek, and Mickey Creek. Sixty-three juvenile chinook salmon captured.
- 1983 DFO. Minnow trapping, hand seine, and beach seining. Lower river below U.S./Canada border. No salmonids captured.
- 1982 DFO. Two radio-tagged adult salmon tracked into the Fortymile River.
- 1981 Dames and Moore. Report of adult chum salmon in the North Fork Fortymile River near the Kink (mid-August).
- 1960 USFWS. Reports of salmon spawning near the Taylor Highway.



**Survey Plan:** First Survey - August, 1998. O'Brien Creek and its nine primary tributaries will be accessed by highway vehicle along the Taylor Highway. The mainstem Fortymile River and its tributaries will be surveyed by jet boat from the Fortymile Bridge at MP 112 down to the U.S. Canada boundary. Operations will be staged from Mr. Larry Taylor's private residence located near the Fortymile Bridge.

Waterbodies will be located on a 1:63360 Series USGS map. Coordinates for the mouths of each stream and sample locations will be obtained with a Garmin 40 GPS unit. Observations on waterbody morphology, including bankfull width and depth, slope, substrate composition, habitat types, and water temperature will be collected.

Adult salmon distribution will be visually noted and photographed.

Juvenile salmonids will be captured in minnow traps baited with frozen salmon roe. Multiple trap sets will be made at each sample site and fished for a minimum of 2 hours but not more than 24 hours per set. All collected fish will be identified using the Alaska Working Group on Cooperative Forestry/Fisheries Research 1992 *Standards for Sight Identification of Salmon and Trout* and Morrow's (1980) key to *The Freshwater Fishes of Alaska*. Fork length, total length, and body depth (the latter two items are needed for an unrelated culvert fish passage research project) will be measured to the nearest mm. All data will be recorded on a standard waterbody survey form (Attachment 3).

The priority waterbodies are those presently listed in the Catalog, including Moose Creek, Alma Creek, Smith Creek, Flat Creek, Polly Creek, and an unnamed tributary located in Section 19, T7S, R32 E, FM. Despite isolated reports of adult chinook and chum salmon in the North Fork of the Fortymile River, it will not be surveyed until existing Catalog listings in the lower river are reconfirmed. However, we will continue to coordinate with BLM Tok Office staff regarding their observation during reconnaissance float trips down the North Fork Fortymile River from the Joseph Creek airstrip. Several float trips are scheduled annually.

Second Survey - September 1998. A foot survey will be conducted in late September 1988 of the lower mainstem Fortymile River between the Fortymile Bridge and the U.S./Canada border. The primary target area is the mainstem river near Steele Creek. Anecdotal information indicates a Tok resident has historically caught fall chum salmon in the mainstem near this location. Access to the site will be by jet boat (contract with Mr. Larry Taylor). If water levels are too low for boating or if an early freeze-up occurs, alternate access will be either by six-wheeler ATV along an established cat trail (5.1 miles) from the Taylor Highway to Steele Creek or by foot along the riverbank from the Taylor Highway (7.1 miles).

**Budget:****Personnel****Field Preparation (Both Surveys)**

HBIII, 40 hours @ \$41.03/hr. 1,641.20

**August - Travel from/to Fairbanks (700 Miles) and Camp Setup/Takedown**

HB III, 16 hours @ \$41.03/hr 656.48

HB II, 16 hours @ \$27.00/hr 432.00

**O'Brien Creek Surveys (August)**

HB III, 16 hours @ \$41.03/hr 656.48

HB II, 16 hours @ \$27.00/hr 432.00

**Lower Mainstem Surveys (August)**

HB III, 16 hours @ \$41.03/hr 656.48

HB II, 16 hours @ \$27.00/hr 432.00

**Travel from/to Fairbanks (700 Miles) and Camp Setup/Takedown**

HB III, 16 hours @ \$41.03/hr 656.48

HB II, 16 hours @ \$27.00/hr 432.00

**Lower Mainstem Survey (September)**

HB III, 16 hours @ \$41.03/hr 656.48

HB II, 16 hours @ \$27.00/hr 432.00

**Report Preparation and Anadromous Catalog Nominations**

HB III, 25 hours @ \$41.03/hr 1,025.75

**Prepare Letters to Fortymile Mining District and Legislators**

HB III, 1 hour @ \$41.03/hr 41.03

**8,150.38**

**Travel/Per Diem**

20 days at \$42/day **840.00**

**Contractual**

Vehicle Fuel (100 gallons diesel @\$1.22/gal.) 122.00

Guide/Boat Services - Larry Taylor (4 days @ \$200/day) 800.00

Telephone Xerox (distribution to Fortymile Mining District, etc.) 40.00

Film/Developing 60.00

Camp Supplies (Blazo, tarps, etc.) 50.00

**1,072.00**

**Supplies**

MT2 Steel Minnow Traps (60 @ \$8.67/ea) 520.20

Poly Rope (for traps) 20.00

Photodegradeable Flagging (5 rolls @ \$1.75/roll) 8.75

4' by 30' Minnow Seine (1/4" mesh) 129.25

Rite in the Rain Field Notebook 12.50

**690.70**

**GRAND TOTAL**

**10,753.08**



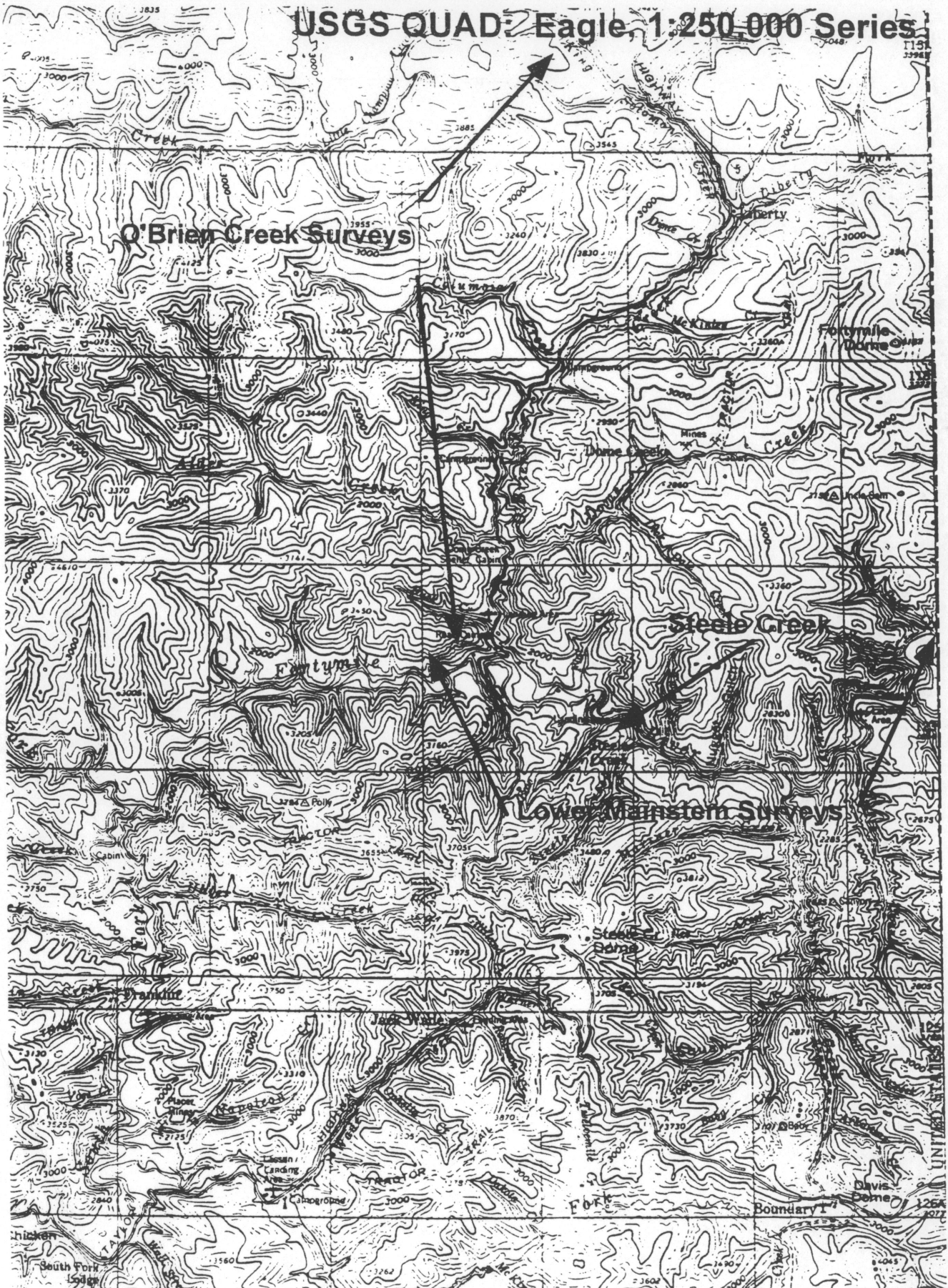
**Schedule:**

Phase I is scheduled to coincide with the presumed period juvenile chinook salmon are expected to be distributed in tributary streams. In Interior Alaska, maximum upstream dispersal of juvenile chinook salmon typically occurs by early August. As water temperatures begin to drop in late August, juvenile fish typically drop back down out of the smaller tributaries into larger tributary and mainstem habitats.

Phase II is scheduled for late September (prior to freezeup) to investigate past reports that fall chum salmon have been harvested near Steele Creek in late September/early October. Fall chum salmon in the Delta River typically begin arriving on the spawning grounds in mid-September and have been observed as late as early December. Fall chum salmon runs in Canada typically are intercepted downstream of the spawning grounds from the first of September to mid-October. The proposed field schedule is positioned mid-way during the prime target window but before freeze-up makes boat travel impossible.

Trip reports will be prepared immediately following each sample period. A final report and nomination forms for Anadromous Catalog additions, revisions, or deletion will be prepared in October 1998 and submitted to Habitat and Restoration Division Region II for inclusion in the next scheduled update to the Catalog. A draft letter from Director Kowalski to the Fortymile Mining District and interested legislators will be prepared for her signature in October 1998 and will outline the basic survey findings and proposed department regulatory action on Catalog lists.

USGS QUAD: Eagle, 1:250,000 Series

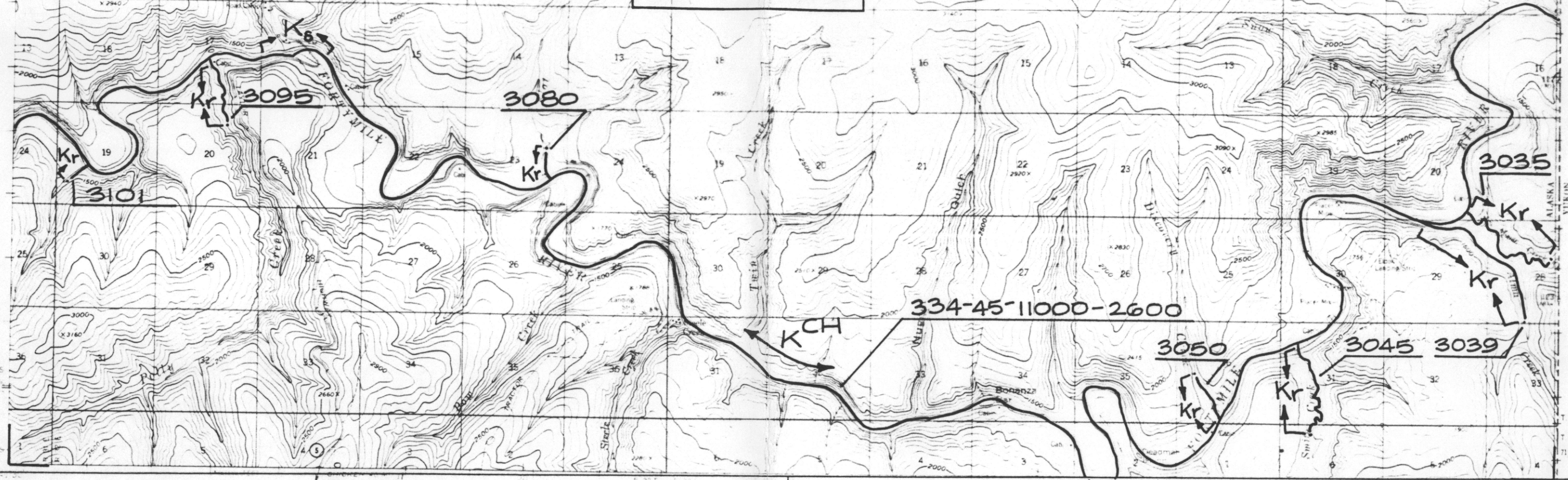




Upper points document  
limits of fish surveys  
and usually not the  
extent of fish habitat.

ANC-4/C-03

USGS63 EAGL B-1



Mapped, edited, and published by the Geological Survey  
Control by USGS and NOS/NOAA, and International Boundary Commission  
Topography by photogrammetric methods from aerial photographs  
taken 1954 and 1955, field annotated 1956. Map not field checked  
Universal Transverse Mercator projection, 1927 North American datum,  
10,000-foot grid based on Alaska coordinate system, zone 7,  
1000 metre Universal Transverse Mercator grid ticks  
zone 7, shown in blue  
Land lines represent unsurveyed and unmarked locations  
predetermined by the Bureau of Land Management  
Folio F8, Fairbanks Meridian

TRUE NORTH  
MAGNETIC NORTH  
APPROXIMATE MEAN  
DECLINATION 1956



ROAD CLASSIFICATION  
Light duty  
Unimproved dirt  
State Route

EAGLE (B-1), ALASKA  
1956  
MINT. DIVISION

AWC63 09421 EAGL B-1

If information being mapped is to be automated, consult Resource Assessment Branch before beginning.

MAP NO.  
B-1  
OF  
94

LEGEND	
S	Sockeye Salmon
K	King Salmon
CO	Coho Salmon
P	Pink Salmon
CH	Chum Salmon
SH	Steelhead Trout
DV	Dolly Varden
AC	Arctic Char
SF	Sheefish
W	Whitefish
C	Cutthroat Trout
Subscript	
s-	Known Spawning
r-	Rearing
m-	Migration
* Migration upstream is assumed for stream reaches where anadromous fish occur	

COMP. \_\_\_\_\_  
DRAWN \_\_\_\_\_  
REVISED \_\_\_\_\_  
APPROVED \_\_\_\_\_  
DATE \_\_\_\_\_  
FILE NO. \_\_\_\_\_

SCALE  
1" = 1 MILE  
1 : 63,360

PROJ. TITLE  
ANADROMOUS WATERS CATALOG  
ANADROMOUS WATERS ARE LISTED PURSUANT TO AS 16.05.870 (a)  
MAP TITLE  
EAGLE B-1

STATE OF ALASKA  
DEPARTMENT OF FISH AND GAME  
HABITAT DIVISION  
JUNEAU, ALASKA

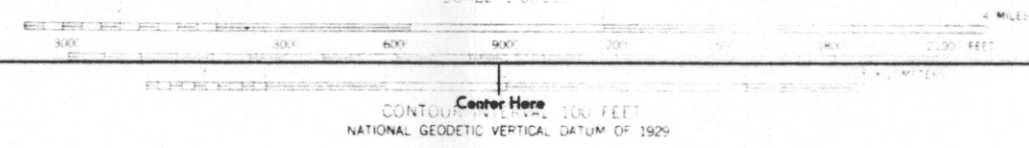
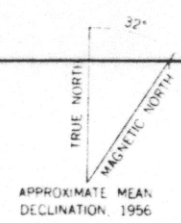
BY  
STS  
REVISOR





USGS 63 EAGLE B-2  
ANC-4/C-03

Mapped, edited, and published by the Geological Survey  
Control by USGS  
Topography by photogrammetric methods from aerial photographs  
Date: 1954 and 1955; field annotated 1956. Map not field checked  
Universal Transverse Mercator projection, 1927 North American Datum  
10,000 foot grid based on Alaska coordinate system, zone 2  
1000 meter Universal Transverse Mercator grid ticks  
zone 2 shown in blue  
Land lines represent unsurveyed and unmarked locations  
predetermined by the Bureau of Land Management  
Folio F-8, Fairbanks Meridian  
To place on the predicted North American Datum 1983 move  
the projection lines 36 meters north and 112 meters east



EAGLE (B-2) ALASKA  
1954

ROAD CLASSIFICATION  
No roads or trails in this area

Information being mapped is to be automated, consult Resource Assessment Branch before beginning.

MAP NO.  
B-2  
OF  
94

CH	Chum Salmon	AC	Arctic Char/ Dolly Varden
CO	Coho Salmon	SF	Sheefish
K	King Salmon	SH	Steelhead
P	Pink Salmon	SM	Smelt
S	Sockeye Salmon	W	Whitefish
CT	Cutthroat Trout		
s	Known Spawning	r	Rearing

Note: Migration upstream is assumed for stream reaches where anadromous fish occur.

Anadromous habitat < 660 ft. in length

COMP. \_\_\_\_\_  
DRAWN \_\_\_\_\_  
REVISED \_\_\_\_\_  
APPROVED \_\_\_\_\_  
DATE \_\_\_\_\_

SCALE  
1" = 1 MILE

PROJ. TITLE  
**ANADROMOUS WATERS CATALOG**  
ANADROMOUS WATERS ARE LISTED PURSUANT TO AS 16.05.870 (a)

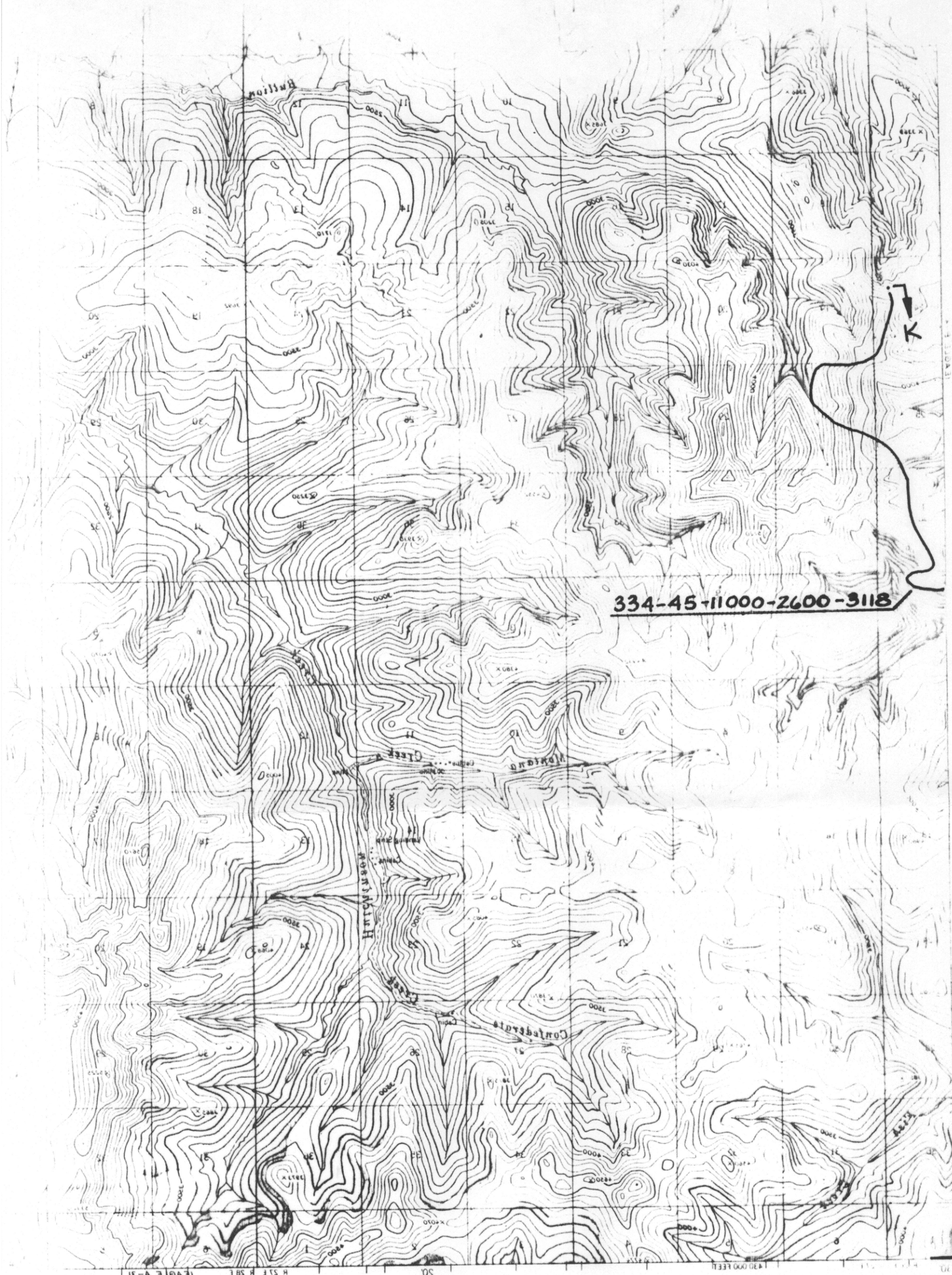
MAP TITLE  
EAGLE B-2



STATE OF ALASKA  
DEPARTMENT OF FISH AND GAME

BY	
SJS	
SJS	
EW	





334-45-11000-2600-3118

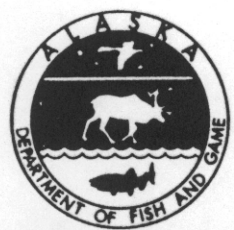
SCALE 1:63,300  
CONTOUR INTERVAL 100 FEET  
DATUM IS MEAN SEA LEVEL



Maped, edited, and published by the Geological Survey  
Control by USGS  
Topography by photogrammetric methods from aerial photographs  
Taken 1954 - 1957 field annotated 1956 Map not field checked  
Universal Transverse Mercator projection, 1927 North American Datum  
10,000 foot grid based on Alaska coordinate system, zone 5  
1000 meter Universal Transverse Mercator grid ticks  
Zone 5 shown in blue  
Land lines represent unurveyed and unmarked locations  
Determined by the Bureau of Land Management  
Folio 8, Fairbanks Meridian

PROJ. TITLE  
ANADROMOUS WATERS CATALOG  
ANADROMOUS WATERS ARE LISTED PURSUANT TO AS 16.05.870(a)

MAP TITLE  
EAGLE B-3



STATE OF ALASKA  
DEPARTMENT OF FISH AND GAME  
HABITAT DIVISION  
JUNEAU, ALASKA

BY	DATE
REVISIONS	



# ANADROMOUS WATERS CATALOG/ATLAS CORRECTION FORM

CORRECTION TO: ATLAS \_\_\_\_\_ CATALOG \_\_\_\_\_

REGION: INTERIOR

MAP: EAGLE

WATERWAY NUMBER: 334-45-11000-2600

DESCRIBE CHANGE(S): Back up into on Ferry mile  
River & Tributaries & their  
Deletion.

CHANGE REQUESTED BY : \_\_\_\_\_

DATE

DRAFTED/DIGITIZED BY: \_\_\_\_\_

DATE

REVISION CODE: F-1

NOMINATION NUMBER: 99-330A

\*\* ATTACH THIS FORM TO EXISTING NOMINATION FORM IN THE FILE \*\*



**Edward W. Weiss**

**From:** Mac McLean [mac\_mclean@fishgame.state.ak.us]  
**Sent:** Friday, January 21, 2000 2:51 PM  
**To:** Edward W Weiss  
**Subject:** 40 Mile

Got your phone message. Regrettably I have not finished the report yet - but will send delisting nominations with the supportive backup. All of them upstream of the border are being delisted without prejudice. Future data may result in a relisting. However, BLM just released its winter water gaging study. It appears most winters (during the 90s at least) there may not have been enough flow (if any) to support a viable year to year population.

## **Weiss, Ed**

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**From:** McKay, Don  
**Sent:** Thursday, January 28, 1999 10:07 AM  
**To:** McLean, Mac  
**Cc:** Weiss, Ed; Trasky, Lance  
**Subject:** RE: 40 Mile Designation

There is precedent. I recall drainages such as Paint River in Cook Inlet that were specified above a falls based on a previous department stocking program that had been discontinued. The river should not have been specified to begin with, but it was. There are others. Practically, I would not require a permit from an applicant if I didn't have reasonable knowledge that fish periodically traveled through the area!

-----Original Message-----

**From:** **McLean, Mac**  
**Sent:** Wednesday, January 27, 1999 11:26 AM  
**To:** McKay, Don  
**Subject:** 40 Mile Designation

I talked w/ Janet K. yesterday and I believe I'm inclined to recommend delisting without prejudice the 40 Mile River from the anadromous catalog. Chuck Meachum and I managed to collect only one juvenile chinook after three days of trapping in the mainstem, north fork, south fork and walker fork. Since 1960 juveniles have been trapped only one other time.

Based on winter flow data I believe it is on the upper fringe. Some years spawners return and some years they actually pull off a successful hatch - but often they don't. Politically, I don't believe it is worth putting the rest of the catalog just to doggedly hand on to the 40 Mile.

My question for you. Officially, the next catalog revision may not be for 1 to 1 1/2 yrs. Is there precedent in Region II for not requiring or issuing AS 16 permits while delisting is pending. If so, was it a formal finding or just an unofficial action by the area permitter. Ed Weiss seemed to think so but couldn't remember a specific case.



## DEPARTMENT OF FISH AND GAME

## HABITAT AND RESTORATION DIVISION

P.O. BOX 25526  
JUNEAU ALASKA 99802-5526  
PHONE: (907) 465-4105/4125  
FAX: (907) 465-4759

February 18, 1999

Mr. David W. Likins, President  
Fortymile Mining District  
P.O. Box 106  
Eagle, AK 99738-0106

Dear Mr. Likins:

RE: Anadromous Stream Classification for the Fortymile River

At your request, the Department committed last spring to surveying the Fortymile River and its tributaries to determine whether its listing remained warranted in the *Catalog and Atlas of Waters Important for the Spawning, Rearing or Migration of Anadromous Fish*. A survey was completed by Mr. Mac McLean, Habitat and Restoration Division - Fairbanks, and Mr. Chuck Meachum, a representative of the Fortymile Mining District, on August 7-9, 1998. Sites were sampled with baited minnow traps at 29 locations over 50 stream miles in the mainstem, North Fork, South Fork and Walker Fork Fortymile River and their tributary streams. Two hundred and thirty nine trap hours were fished. In total, one juvenile chinook salmon and ten sculpins were collected. The single chinook salmon juvenile was collected in lower Polly Creek located just upstream of the Taylor Highway bridge.

Prior to the 1998 survey, our records dating back to the 1960s indicate that a total of 16 juvenile and two adult chinook salmon, 16 adult chum salmon, and one unidentified salmon have been observed by state, federal, and private entities in the Alaskan portion of the Fortymile River. After reviewing hydrologic conditions, including winter water flow observations by the Bureau of Land Management since the early 1990s, and salmon run indicators on the Canadian side of the border, it is our preliminary conclusion that anadromous fish runs in the Fortymile River are at the upper limit of their natural distribution and may not successfully reproduce on an annual basis. Some years it appears there is adequate winter water flows to support a successful egg hatch. But most years it appears there is not. This may explain why juvenile salmon are periodically observed but not consistently year to year.

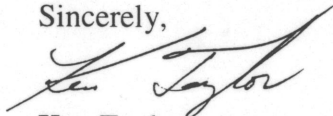
Based on the available information, I have determined that the department will delist, without predjudice, the Fortymile River and its tributaries from the *Catalog and Atlas of Waters Important for the Spawning, Rearing or Migration of Anadromous Fish*. The Department reserves the right to redesignate these waters in the future if additional data supports such classification. We do not anticipate a formal revision of the Catalog or Atlas for at least one

February 18, 1999

year. Until the Fortymile and its tributaries are formally delisted, the Department will administratively suspend all permit authorization under Alaska Statute 16.05.870. Activities potentially affecting fish passage will continue to be reviewed and permitted under Alaska Statute 16.05.840.

A final report is in preparation and will be distributed this spring to all interested parties detailing our survey findings and final determination. I appreciate your interest and support for this effort. If there are any questions regarding the 1998 survey, you may contact either me or Mac McLean at 907-459-7281.

Sincerely,



Ken Taylor  
Director

cc: The Honorable Pete Kelly, Alaska State Senate  
The Honorable Robin Taylor, Alaska State Senate  
The Honorable Gail Phillip, Alaska State House  
Frank Rue, Commissioner, ADF&G, Juneau  
Geron Bruce, ADF&G, Juneau  
Chuck Meachum, 533 Main Street, Juneau, AK 99801  
Leslie Chapman, Box 460, Dawson City, YT Y0B 1G0  
Steve Borell, AMA, 3305 Arctic Blvd., Suite 202, Anchorage, AK 995  
Larry Taylor, P.O. Box 101, Eagle, AK 99738-0101  
Al Ott, ADF&G, Fairbanks  
Lance Trasky, ADF&G, Anchorage  
Mac Minard, ADF&G, Fairbanks  
Tom Kron, ADF&G, Anchorage  
Keith Schultz, ADF&G, Fairbanks  
Dan Reed, ADF&G, Fairbanks



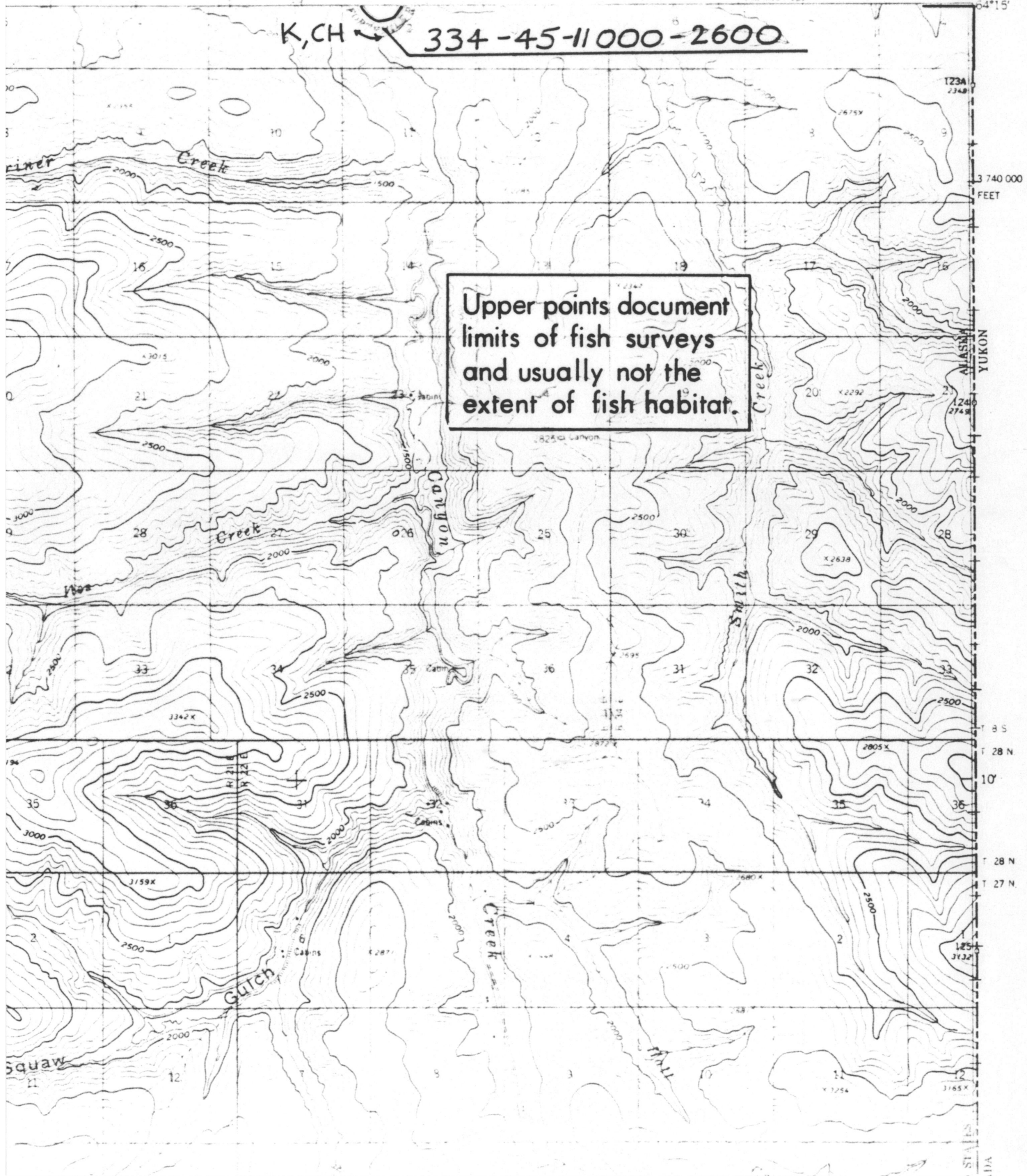
EAGLE (A-1) QUADRANGLE  
ALASKA  
63 360 SERIES (TOPOGRAPHIC)

141°00'  
64°15'

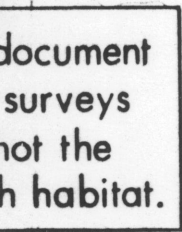
K, CH

334-45-11000-2600

Upper points document  
limits of fish surveys  
and usually not the  
extent of fish habitat.



## 1:63 360 SERIES (TOPOGRAPHIC)







IN REPLY REFER TO:

# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Northern District Office  
Fortymile Management Area  
P.O. Box 309  
Tok, Alaska 99780  
(907) 883-5121  
(907) 883-5123 (fax)

ALASKA DEPT. OF  
FISH & GAME

MAR 6 3 1998

REGION II  
HABITAT AND RESTORATION  
DIVISION

February 25, 1998

Ed Weiss  
Alaska Department of Fish and Game  
Habitat and Resource Division  
333 Raspberry Road  
Anchorage, Alaska 99518-1599

Dear Mr. Weiss:

This letter is a follow-up to our telephone conversation on February 24, 1998 regarding recent information on anadromous fish in the Fortymile River.

Our field notes indicate that salmon were seen on the following dates:

- 8/24/95. Twelve chum salmon were seen in Mickey Creek (just above Clinton Creek). Three dead fish were also found at this location. Photographs were taken.
- 7/23/94. One salmon was seen swimming upstream through a riffle at the confluence of Champion Creek and the North Fork River. The salmon was red in color and approximately thirty inches in length.

We understand that there may be some studies conducted on the fisheries in the Fortymile River in the near future. Please feel free to coordinate with the Fortymile Team, we may be able to assist with some logistical support.

Sincerely,

  
Kathleen M. O'Reilly-Doyle  
Realty Specialist

Enclosures:

- Maps
- Brochures: Fortymile River Rapids and Access Points

Cc: Carl Kretsinger, Central Yukon Team, BLM  
Ingrid Kacher, Steese Team, BLM

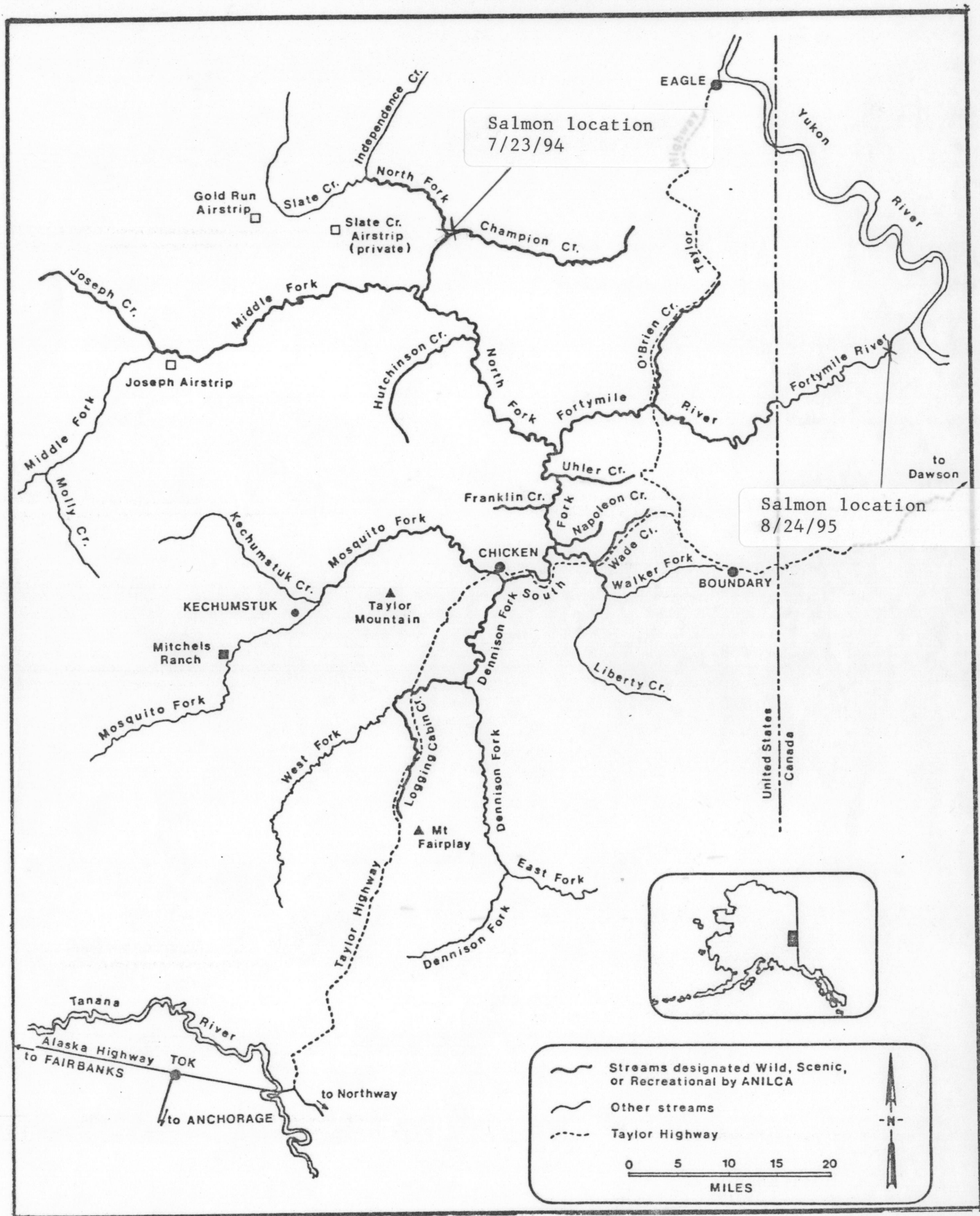
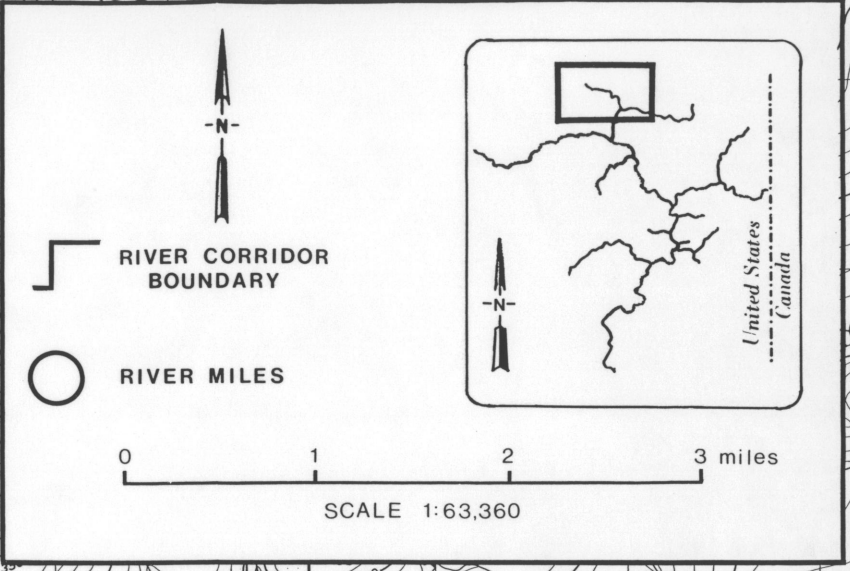
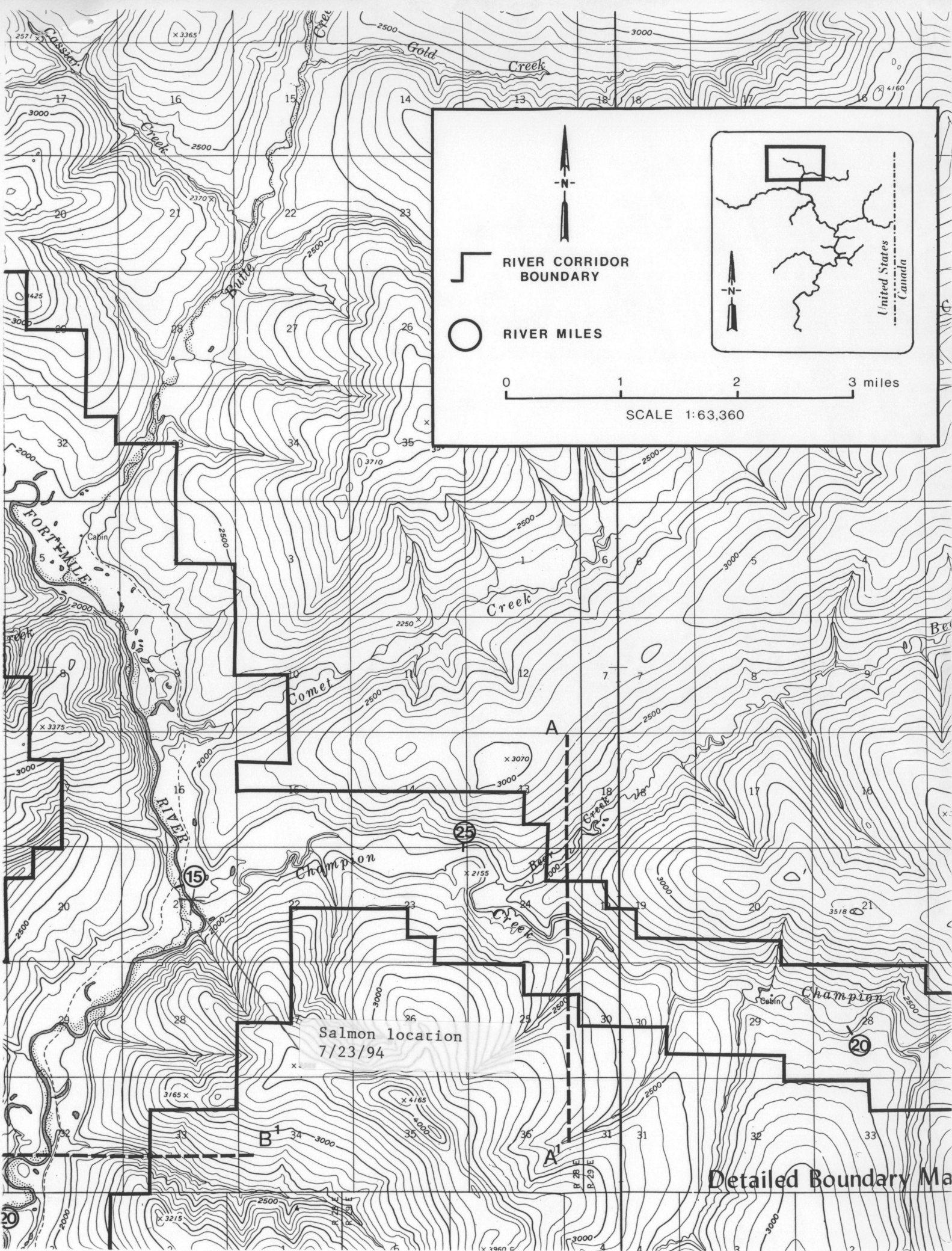


Exhibit A  
Map-General Area





Salmon location  
7/23/94

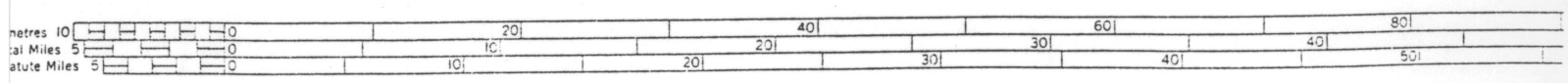
Detailed Boundary Ma



Salmon location  
8/24/95

ONS IN FEET

(Joins Fort Selkirk 115 N.W. and 115 N.E.)



SCALE 1:500,000